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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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MAY 15 2015

AZ CORP COMMISSION
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IN THE MATTER OF THE APPLICATION OF
CHINO MEADOWS II WATER COMPANY, INC.
FOR APPROVAL OF A RATE INCREASE.

DOCKET NO. W-02370A-14-0231

PROCEDURAL ORDER

(Continuing Hearing and
Modifying Procedural Deadlines)

BY THE COMMISSION:

On June 30, 2014, Chino Meadows II Water Company, Inc. ("Chino Meadows" or "Company") filed with the Arizona Corporation Commission ("Commission") an application for a rate increase. The application noted that Chino Meadows' affiliate Granite Mountain Water Company ("Granite Mountain") also filed a rate application in a separate docket (Docket No. W-2467A-14-0230) on the same day. Chino Meadows requested that its application be processed and heard concurrently with Granite Mountain's application in order to assure that cost allocations will be consistent in the two cases. To the extent necessary to accommodate the joint processing of the two applications, Chino Meadows waived the timeclock requirements set by the Commission's rules.

On October 7, 2014, a Rate Case Procedural Order was issued setting a hearing to commence on May 4, 2015, and establishing associated procedural deadlines to accommodate the parties' requests for extended discovery timeframes.

On December 10, 2014, Chino Meadows filed an Affidavit of Publication.

On December 12, 2014, Chino Meadows filed an Affidavit of Customer Notice.

No intervention requests were filed.

On February 11, 2015, Staff and Chino Meadows jointly filed a Stipulation to Extension for Time, requesting that the hearing be continued.

On February 18, 2015, by Procedural Order, the hearing was continued to July 13, 2015, and

1 associated procedural deadlines were also continued. As the May 4, 2015 hearing date had been
2 publicly noticed, that date was reserved for public comment.

3 On May 4, 2015, a public comment hearing was convened. No members of the public
4 appeared.

5 On May 8, 2015, Staff and the Company filed their Second Stipulation to Extension of Time
6 ("Stipulation"). The Stipulation states that the schedule set by the February 18, 2015, Procedural
7 Order was based in significant part on the progression of certain infrastructure projects toward
8 completion, with supporting documentation furnished to Staff by April 1, 2015. The Stipulation
9 states that the anticipated construction schedule was not met, and that Staff now needs additional time
10 to complete its rate case analysis and testimony. Staff and the Company propose a new hearing date
11 of August 18, 2015.

12 The request is reasonable. The hearing should be continued, with associated modifications to
13 the current procedural schedule.

14 IT IS THEREFORE ORDERED that the **hearing** in this matter currently scheduled to
15 commence on **July 13, 2015**, is hereby **continued** to commence on **September 23, 2015, at 10:00**
16 **a.m., or as soon thereafter as is practical**, in Hearing Room No. 1 at the Commission's offices,
17 1200 West Washington, Phoenix, Arizona 85007, and shall continue, if necessary, on **September 24,**
18 **2015, at 9:30 a.m.**

19 IT IS FURTHER ORDERED that the **pre-hearing conference** currently scheduled to be held
20 on **July 8, 2015, at 2:00 p.m.** is hereby **vacated**. Procedural issues related to the hearing will be
21 discussed at the commencement of the hearing on August 23, 2015.

22 IT IS FURTHER ORDERED that the **Staff Report/direct testimony and associated**
23 **exhibits** to be presented at hearing by **Staff** shall be reduced to writing and filed on or before **July**
24 **15, 2015.**

25 IT IS FURTHER ORDERED that the **rebuttal testimony and associated exhibits** to be
26 presented at hearing by **Chino Meadows** shall be reduced to writing and filed on or before **August**
27 **12, 2015.**

28 IT IS FURTHER ORDERED that the **surrebuttal testimony and associated exhibits** to be

1 presented at hearing by **Staff** shall be reduced to writing and filed on or before **September 10, 2015**.

2 IT IS FURTHER ORDERED that the **rejoinder testimony and associated exhibits** to be
3 presented at hearing by **Chino Meadows** shall be reduced to writing and filed on or before
4 **September 18, 2015**.

5 IT IS FURTHER ORDERED that **all testimony** filed shall include a **table of contents** listing
6 the issues discussed.

7 IT IS FURTHER ORDERED that **all filings shall be made by 4:00 p.m.** on the date the
8 filing is due, unless otherwise indicated.

9 IT IS FURTHER ORDERED that **the parties shall prepare, jointly or individually, and**
10 **bring to the pre-hearing conference, copies of an issues matrix** setting forth all disputed issues in
11 the case, the position of each party on each disputed issue, whether the disputed issue remains in
12 dispute or has been resolved, and the manner in which it was resolved.

13 IT IS FURTHER ORDERED that **any objections to prefiled testimony or exhibits shall be**
14 **filed by September 22, 2015**.

15 IT IS FURTHER ORDERED that any **substantive corrections, revisions, or supplements**
16 **to prefiled testimony**, with the exception of rejoinder testimony, shall be reduced to writing and filed
17 no later than five calendar days before the witness is scheduled to testify. Substantive corrections,
18 revisions, or supplements to prefiled rejoinder testimony shall be reduced to writing and presented on
19 the first day of hearing.

20 IT IS FURTHER ORDERED that any motion filed in this matter, other than a motion to
21 intervene, that is not ruled upon by the Commission within 20 calendar days of the filing date of the
22 motion shall be deemed denied.

23 IT IS FURTHER ORDERED that any response to a motion, other than a motion to intervene,
24 shall be filed within five calendar days of the filing date of the motion.

25 IT IS FURTHER ORDERED that any reply related to a motion shall be filed within five
26 calendar days of the filing date of the response to the motion.

27 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized
28 Communications) applies to this proceeding and shall remain in effect until the Commission's

1 Decision in this matter is final and non-appealable.

2 IT IS FURTHER ORDERED that all parties must comply with Arizona Supreme Court Rules
3 31, 38 and 42 and A.R.S. § 40-243 with respect to practice of law and admission *pro hac vice*.

4 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance
5 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Arizona
6 Supreme Court Rule 42). Representation before the Commission includes appearances at all hearings
7 and procedural conferences, as well as all Open Meetings for which the matter is scheduled for
8 discussion unless counsel has previously been granted permission to withdraw by the Administrative
9 Law Judge or the Commission.

10 IT IS FURTHER ORDERED that each party to this matter may opt to receive service of all
11 Procedural and Recommended Orders issued by the Commission's Hearing Division in this matter
12 via e-mail rather than U.S. Mail, as permitted under A.A.C. R14-3-107(B). To exercise this option, a
13 party shall send to hearingsdivision@azcc.gov, from the e-mail address at which the party desires to
14 receive service, an e-mail request including the name of the party on whom service is to be made and
15 the docket number for this matter. After a party receives an e-mail confirmation of its request from
16 hearingsdivision@azcc.gov, the party will receive all future Procedural and Recommended Orders
17 issued by the Hearing Division in this matter via e-mails to the address provided by the party, unless
18 and until the party withdraws its request. Service of a document via e-mail shall be considered
19 complete upon the sending of an e-mail containing the document to the e-mail address provided by a
20 party, regardless of whether the party receives or reads the e-mail containing the document.

21 IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend,
22 or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at
23 hearing.

24 DATED this 15th day of May, 2015.

25
26 
27 TEENA TIBILIAN
28 ADMINISTRATIVE LAW JUDGE

1 Copies of the foregoing mailed/delivered
this 15th day of May, 2015 to:

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